

REMARKS

The indication of allowable subject matter in claims 2 and 4-6 is acknowledged and appreciated. For the following reasons, it is respectfully submitted that all claims are in condition for allowance.

Claims 1, 7-9, 13 and 14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Hammond et al. '496, and claims 3, 10-12 and 15 stand rejected under 35 U.S.C. § 103 as being unpatentable over Hammond et al. '496 in view of Takagi (EP '575). These rejections are respectfully traversed for the following reasons.

The Examiner relies on Hammond et al. '496 for each of the prior art rejections, whose earliest effective filing date is July 8, 2002. The present application claims priority to JP 2002-011833 filed on January 21, 2002. Accordingly, Hammond et al. '496 is not prior art to the present application. In order to perfect Applicant's claim to foreign priority, enclosed is a certified English translation of the priority document for this application (i.e., JP 2002-011833).

Based on the foregoing, it is respectfully requested that the rejects under 35 U.S.C. § 102/103 be withdrawn.

Also, upon further review of the filing receipt mailed on February 10, 2004, Applicant notes that the USPTO has mistakenly designated this application as a CIP of the PCT application rather than a straight continuation. A Request for a Corrected Filing Receipt is being filed concurrently with this amendment.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Ramyar M. Farid
Registration No. 46,692

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 RMF:MWE
Facsimile: 202.756.8087
Date: May 16, 2005

**Please recognize our Customer No. 20277
as our correspondence address.**